

1           He goes on with other arguments and then sums  
2 it up this way: Accordingly, we hold that Plans D and C  
3 violate the 14th Amendment of the U. S. Constitution, and  
4 therefore do not comply with the July 27 order of this  
5 Court.

6           That is a square holding and that was firmly  
7 affirmed by the Supreme Court. In the affirmance, which  
8 is in 382 US, it was affirmed per curiam, Mr. Justice Harlan  
9 wrote a concurring opinion in which, however, he noted  
10 that so far as he was concerned, that did not involve determi-  
11 nation of the federal question, because the Plan A, which was  
12 approved by the District Court, had been based on a matter  
13 of state law.

14           In other words, they found that that complied  
15 with the state constitution, and therefore Mr. Justice  
16 Harlan felt that the federal question was not reached  
17 in their decision.

18           THE CHAIRMAN: Delegate Henderson, you have one half  
19 minute.

20           DELEGATE HENDERSON: I am sorry.

21           There are a few other cases in which it has been